

## **Probate Notes for March 3, 2015**

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. Unless an appearance at the hearing is otherwise required by law, if petitioner submits a proposed order prior to the hearing and the recommendation is to grant the petition, no appearance is necessary. If you are scheduled to appear and there is no probate note issued in your case, you should appear as scheduled. If you wish to continue a matter, you must contact the civil division at (530) 406-6704, at least two (2) court days before your hearing.

**Please note:** The following probate matters will be heard in **Department Two at 9:00 a.m.**

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**CASE:           Estate of Campbell**  
**Case No. CV PB 13-67**

The Court notes the following deficiency: Petitioner failed to file with the Court a waiver of account by David Diston, or a written acknowledgment that his interest has been satisfied. (Prob. Code, §§ 10954.)

**CASE:           Estate of Gilmete**  
**Case No. CV PB 13-152**

The Court notes the following deficiencies:

1. Notice of the hearing was not given as required. (Prob. Code, §§ 1220, 11000.)
2. Petitioner fails to state whether notice was given or was required under Probate Code section 9201.
3. Petitioner fails to state whether notice was given or was required to the California Victim's Compensation and Government Claims Board or the Franchise Tax Board. (Prob. Code, §§ 215, 9202, subds. (b) & (c).)
4. Petitioner failed to file written acceptance of the trust, as required for a waiver of accounting. (Prob. Code, § 10954, subd. (a)(4).)
5. Petitioner failed to provide a report of administration as required. (Prob. Code, § 10900, Cal. Rules of Court, rule 7.7550(b).)
6. The request for statutory commission to the personal representative and attorney for the personal representative does not comply with California Rules of Court, rule 7.705.
7. The inventory and appraisal filed on January 30, 2014 does not comply with the requirements of Probate Code section 8900 et seq. The probate referee, not the personal representative, is required to appraise the personal and real property of the decedent. (Prob. Code, § 8900 et seq.)